

United States District Court, Northern District of Illinois

Name of Assigned Judge or Magistrate Judge	Milton I. Shadur	Sitting Judge if Other than Assigned Judge	
CASE NUMBER	00 C 1765	DATE	8/21/2001
CASE TITLE	Chicago District Council vs. Maria Rodriguez, et al		

[In the following box (a) indicate the party filing the motion, e.g., plaintiff, defendant, 3rd party plaintiff, and (b) state briefly the nature of the motion being presented.]

MOTION:

DOCKET ENTRY:

- (1) ☐ Filed motion of [use listing in "Motion" box above.]
- (2) ☐ Brief in support of motion due _____.
- (3) ☐ Answer brief to motion due _____. Reply to answer brief due _____.
- (4) ☐ Ruling/Hearing on _____ set for _____ at _____.
- (5) ☐ Status hearing[held/continued to] [set for/re-set for] on _____ set for _____ at _____.
- (6) ☐ Pretrial conference[held/continued to] [set for/re-set for] on _____ set for _____ at _____.
- (7) ☐ Trial[set for/re-set for] on _____ at _____.
- (8) ☐ [Bench/Jury trial] [Hearing] held/continued to _____ at _____.
- (9) ☐ This case is dismissed [with/without] prejudice and without costs[by/agreement/pursuant to]
☐ FRCP4(m) ☐ General Rule 21 ☐ FRCP41(a)(1) ☐ FRCP41(a)(2).
- (10) ☒ [Other docket entry] Enter Memorandum Order. Answer paragraph 1 is stricken, and Rodriguez is deemed to have admitted those allegation.
- (11) ☐ [For further detail see order (on reverse side of/attached to) the original minute order.]

<input type="checkbox"/> No notices required, advised in open court. <input type="checkbox"/> No notices required. <input checked="" type="checkbox"/> Notices mailed by judge's staff. <input type="checkbox"/> Notified counsel by telephone. <input type="checkbox"/> Docketing to mail notices. <input type="checkbox"/> Mail AO 450 form. <input type="checkbox"/> Copy to judge/magistrate judge.		CD-7 FILED FOR DOCKETING 01 AUG 21 PM 4:19	number of notices	Document Number 49
SN			AUG 22 2001 date docketed	
courtroom deputy's initials		[Signature] docketing deputy initials	8/21/2001 date mailed notice	
		SN		

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

CHICAGO DISTRICT COUNCIL OF
CARPENTERS PENSION FUND, et al.,

Plaintiffs,

v.

MARIA RODRIGUEZ, et al.,

Defendants.

No. 00 C 1765

DOCKETED
AUG 23 2001

MEMORANDUM ORDER

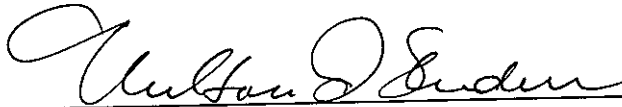
Maria Rodriguez ("Rodriguez") has filed a pro se Answer to the First Amended Complaint ("FAC") brought against Rodriguez and Abel Angulo by certain employee benefits funds (collectively "Funds"). This memorandum order is issued sua sponte to address one impermissible aspect of Rodriguez' Answer.

Whether or not Rodriguez had the benefit of undisclosed legal assistance in preparing her responsive pleading, there is no way in which she can--in the objective good faith required of every party as well as every lawyer under Fed. R. Civ. P. 11--deny the jurisdictional allegations of FAC ¶1. Accordingly Answer ¶1 is stricken, and Rodriguez is deemed to have admitted those allegations.

There are some other troublesome aspects of Rodriguez' Answer (for example, it is insufficiently informative for a pleader to address certain allegations in a complaint's paragraph and then to continue by purporting to deny the allegation of that

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paragraph "except as consistent with the foregoing admissions"¹). But it is not worth the trouble to identify that and other flaws in advance of any issues that Funds may raise hereafter. This memorandum order is therefore limited to the subject discussed in the preceding paragraph.



Milton I. Shadur
Senior United States District Judge

Date: August 21, 2001

¹ How are Funds' counsel and this Court to divine what matters Rodriguez and her counsel regard as "consistent" or "inconsistent" with her admissions?